

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19639 of 2023

Arising Out of PS. Case No.-50 Year-2022 Thana- INDUSTRIAL AREA District- Vaishali

Shashi Bhushan Kumar @ Shashi Bhushan Singh S/O Ganinath Singh @
Ganpat Singh R/O Village- Daudnagar, P.S- Bidupur District- Vaishali.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bela Singh

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 17-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 302 and 34 of the
Indian Penal Code and Section 27 of the Arms Act.

As per FIR, the allegation against two unknown
miscreants is that they fired upon the informant's brother due to
which he sustained gunshot injury and when one customer Lala
Rai tried to caught the miscreants they also fired upon him due
to which he also sustained gunshot injury and died on spot.

It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. Petitioner is not named in the FIR and
the same has been lodged against unknown persons. He



submitted that during investigation, the petitioner has been implicated in the present case only on the basis of confessional statement of co-accused, which has no evidentiary value in the eyes of law. There is no specific allegation of committing murder attributed against the petitioner. He further submitted that the other co-accused has already been granted bail by this Bench vide order dated 11.07.2023 passed in Cr. Misc. No. 12484 of 2023. He is languishing in judicial custody since 20.09.2022.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Court concerned in connection with Industrial Area P.S. Case No. 50 of 2022.

(Sunil Kumar Panwar, J)

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